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# REPORT

UPON THE

## PRELIMINARY SURVEY

OF THE

# ILLINOIS RIVER RAILROAD

WITH A

MAP, SHOWING ITS CONNECTIONS.

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BY W. G. WHEATON.

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Peoria:
PRINTED BY BENJAMIN FOSTER.
1856.

ILLINOIS HISTORICAL SURVEY

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*To the President and Directors of the Illinois River Railroad:—*

GENTLEMEN: Having been employed to make a Preliminary Survey and to estimate the cost of a Railroad from the City of Peoria to the City of Jacksonville, and having completed the field-work of said survey, I submit to you the following Report.

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# REPORT.

The line upon which these estimates are based starts at the terminus of the Peoria and Bureau Valley Railroad, at the centre of Bridge street in the City of Peoria, and runs down the northwest side, and parallel to the Peoria and Oquawka Railroad, about one mile, where it crosses to the opposite side, still keeping parallel to said road about two miles, leaving it at the point where it diverges to ascend the Kickapoo valley. Your line keeps nearly direct, following down at the base of the river bluffs till it reaches the bottom lands nearly opposite the City of Pekin. Here it angles to the left, and crosses the Illinois River at the upper side of the City of Pekin. At this point an angle is made to the right, passing through said city in Second street to its southern boundary. From this point a direct line was run for about fifteen miles, striking the valley of Quiver Creek at the extreme east end of Long Point. Here an angle of 33° was made to the right, and a line run nearly direct to Havana — a distance of about fifteen miles. At this point an angle of 30° was made to the left, and the line run direct to Bath, ten miles. Here another angle was made to the left of 30°, and a direct line run to near Chandlerville, crossing Sangamon River on the line between ranges nine and ten. From Chandlerville the line enters the Sangamon bluffs at the mouth of Hash Hollow, up said hollow about one mile, thence directly toward Virginia, crossing the Little Panther Creek, and entering the valley of Job's Creek about three miles northeasterly from Virginia, thence up the valley of said creek about one mile, thence up a small branch leading toward Virginia, reaching the prairie and summit of the table-lands about one mile north of said town. From this point an angle was made to the left, running directly south through Virginia and over North Prairie, crossing Little Indian Creek on section thirty-four of said township, still keeping the same course, and crossing the Big Indian Creek half a mile east of the county road leading from Virginia to Jacksonville, and running to the

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centre of section three, in town fifteen north, of range ten west, thence nearly direct to Jacksonville — in all a distance of nearly eighty-one and a half miles.

## TOPOGRAPHY, PRODUCTIONS, ETC.

The City of Peoria is situated upon a beautiful plain, which extends down the river for about four miles, where it is broken off by the Kickapoo Creek, at which point the bluffs and bottom-lands meet. These bluffs abound in inexhaustible quantities of the best quality of stone-coal for thirty miles below Peoria, and conveniently situated for transportation over this road. The lands in this vicinity are covered with a heavy growth of timber, affording timber for the construction and wood for the future operation of your road.

The City of Pekin is situated upon the east bank of the Illinois River, at the head of an extensive valley differing in character from any other part of the State. This valley extends south to the Sangamon River, a distance of fifty miles, and will average at least twenty miles in width. This great basin is gently undulating, averaging probably thirty feet above the water of the Illinois River. The soil is rich alluvial, partaking of mixed quantities of sand and loam. Near the river is a strip of country, about thirty miles in length and averaging three miles wide, of barren sandy hills. The line was kept outside of these sand-ridges until it reaches the vicinity of Havana, and continues to pass over them till it passes from Bath three miles. Aside from these sand-ridges, no part of Illinois is susceptible of so easy cultivation, and no country in the world can produce in greater abundance all the necessaries of life. This valley alone will give your road a support ample to pay for its building. The quantity of wheat and corn raised here is unsurpassed in the State, and the samples of wheat equal to that raised in Michigan or Western New York. The same quality of wheat is raised in Cass and Morgan counties.

After leaving the valley of the Sangamon River, the line passes over a broken, hilly country for about six miles, where it enters the high prairie near the town of Virginia. This prairie, being an arm of Grand Prairie, extends east a hundred miles. At the point of crossing it is six miles wide, extending west to the river bluffs, affording a large scope of productive farms, teeming with surplus quantities of wheat, corn, beef and pork, all of which would pass over this road if completed. South of this prairie, to Jacksonville, the country is generally uneven, interspersed with broken barrens and beautiful prairie.

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Between Chandlerville and Jacksonville the water-courses are all deep and expensive crossing. North of the Sangamon River, and to Pekin, a distance of fifty miles, only two streams are to be crossed, the Quiver and Mackinaw Creeks. These can be cheaply crossed with pile bridges. The bridges across the Illinois and Sangamon Rivers are estimated for first-class masonry in the abutments and piers, and "Howe's Patent Truss" superstructure; the one across the Illinois to have a pivot draw, two hundred and fifty feet in length, affording ample room for the free passage of boats. This bridge can be built for less than seventy-five thousand dollars. Between Pekin and Peoria the Kickapoo is the only stream to cross; a pile bridge can be used here costing less than three thousand dollars. The bridge across the Sangamon River will cost about twelve thousand dollars.

## GRADES, ETC.

The maximum grade used north of Chandlerville, the first sixty miles, is twenty-five feet to the mile either way. A very large proportion of the line to that point is level, and less than ten feet to the mile. The line can be made straight, or practically so, between Pekin and Chandlerville. With a little care in locating, and a slight additional cost, the maximum grade may be reduced to twenty feet per mile, making it one of the easiest operated roads in the country. Ballast being readily at hand all this distance, will make it also a cheap road to fit up and keep in repair.

Between Chandlerville and Jacksonville the grades are greatly increased — sixty feet to the mile being the maximum ascending south, and fifty feet per mile ascending north. These grades are not used for more than a mile at any one inclination, and would not, therefore, detract from the power of the engine so much as if such grades were used several miles together. These high grades being near the lower end of your road, will enable those operating it to start with a train of freight partly made up, finishing out with an almost indefinite amount north of the Sangamon bluffs.

## GENERAL OBSERVATIONS.

The time has long since gone by when arguments are necessary to show the general benefits of railroads. That a country like the one through which this line passes will derive most beneficial results no one can doubt. Its entire length passes over a country rich in agricultural products, and developed to an extent sufficient to warrant a lucrative

business to your road as soon as it can be made ready for a transportation business. Indeed, a railroad built here would long since have paid large dividends. The Illinois River has been of service in developing the country, and has also been the means of sending forward large quantities of grain and merchandise, while the business of the country could be done upon the 'stand-still' system and its products sold at nominal prices, the purchaser holding his grain months awaiting a resumption of navigation. But in this day of enterprise a different mode of transportation is not only desirable but absolutely necessary. Without this railroad your country can not progress; your real estate must remain stationary or recede in price; your agricultural products will bring from twenty to twenty-five per cent. less price than those of neighboring districts no nearer market; enterprise and intelligence will seek other points, improving less favored places, leaving you destitute of all the elements for a happy home.

The local transportation must at all seasons of the year be good. The early fall trade will commence with the transportation of wheat, directly after harvest; then follows the transportation of pork and beef; cattle will be sent daily through the winter, with corn the year round. This road forms the interior link of a main trunk north-and-south railroad, fixed by nature in such a position that no project can detract from its business or its value. Occupying, as it does, a central position in the Illinois valley, its grades are comparatively slight north of the Sangamon River. Engines of light draft will be able to transport large and heavy trains to all points north. When completed, your whole country, comprising nearly all that lies adjacent to the river, and for twenty miles each side, will have a direct road to Chicago, over the Peoria and Bureau Valley Railroad and the Chicago and Rock Island Railroad, as well as with the same lines through Iowa and the Upper Mississippi, also with the southern portion of Iowa over the Peoria and Oquawka Railroad; from which countries your road will derive a good trade, as it will be the most direct line of railroad between Iowa and St. Louis likely to be built for a long time to come. At this time three daily trains leave Peoria for Chicago and Rock Island, making at once a line completed to those points. The transportation of heavy trains must inevitably pass over the Bureau Valley and Rock Island Railroads, from the fact that the distance between Peoria and both of the above-named points can be but very little contracted, and any other route must pass over high and rolling grounds, causing expensive work and steep grades. Thus your road completed, and it holds the posses-

sion of all the freighting destined for a northern market between St. Louis and Rock Island and the Upper Mississippi River. The great desire for a railroad between St. Louis and Rock Island will thus be fully satisfied, and better accommodated by this than any other way. With this line completed from Peoria to Jacksonville, and the Jacksonville and Carrollton road finished from Jacksonville to Alton, which, in all probability, will be done by the time your road is completed, all will be accomplished; thus giving you a direct line to St. Louis, and offering all points upon the numerous connected lines a choice between the northern and southern markets.

It will be seen that your road will occupy about eighty miles of the very heart of the country midway between the two great commercial marts of the West, on what must appear to every enlightened business mind a great natural through route, with Chicago and the whole Upper Mississippi country at the north — passing through the City of Peoria, second to no other city in the State (excepting Chicago), with its surrounding country and system of railroads, through Jacksonville, and numerous other towns, its entire length, of vast business capacity — with so many advantages, can it be possible that your road should not be built at once? When built, it will develop your country, enhance the price of all its products, and add value to its soil, as well as be a first-rate investment for dividends.

This enterprise should receive the fostering care and aid of the Chicago and Rock Island Railroad Company, as it will add a large business to their roads. It will also give the Peoria and Oquawka Railroad additional business between Burlington and Peoria, with a view of reaching St. Louis over this route. To the City of Peoria and its business men this road will be of great importance. This project, started upon favorable plans and basis, insures to Peoria a system of railroads second to no other city in the State. Starting this line at Peoria, and running down the west side of the river to a point opposite Pekin, not only insures to Peoria a direct road to St. Louis, but it at the same time builds ten miles of road directly toward the heart of Fulton and Schuyler counties, insuring a road also at once to those counties. These two roads safely secured to Peoria, gives her the finishing touch. With her roads north to Chicago and the Upper Mississippi, east to Philadelphia, south to St. Louis, southwesterly through Fulton, Schuyler and adjoining counties, and west to Burlington and Oquawka on the Mississippi, she will be placed high on the road to wealth, a place sought after by capitalists to invest their money. Her central position,

located in the midst of a rich agricultural country and central in the great coal-basin of Illinois, all together will place her above suspicion and out of the reach of local jealousies.

This project also places the City of Pekin in her most favorable position. With it she stands upon a main trunk line, giving her the choice of both a north and south market at all seasons of the year. It also secures her investments in a feasible route, sure to be built, rendering her all needful facilities for transportation, and securing reasonable dividends to meet accruing interests. The same arguments apply with equal force to the whole country between Peoria and St. Louis.

Chicago and St. Louis must ever be the two great natural markets of the Northwest. Wheat, corn, beef and pork, the great staples of the country, in the main must be sold and reshipped at one of these two points; and with these facts staring every one in the face, it is astonishing to see with what tenacity many are still disposed to favor the bubble systems of 'thirty-six'. A line of road passing over a similar country, a country producing exactly the same staples, and on the same parallel of latitude, without a market in a thousand miles, and passing over mountain ranges for hundreds of miles, has, since that period, found its advocates at nearly every town upon the Illinois River between LaSalle and St. Louis; while the natural route, and the inevitable market near at home, are lost sight of for visionary routes, that can not be built, and if built would not pay for the operation, serving only as spur-tracks to more judiciously located roads, and handling the freight while others do the transportation and receive all the benefits.

There is abundant wealth in this portion of the State to secure a healthy system of railroads and give every town of sufficient importance an outlet, if properly applied. The system of railroads in the State is also sufficiently developed that any place may see its easiest way out on the most favorable route; yet some points choose the way calculated to defeat their object. Let all the towns and places through which this line passes canvass fully all the projects presented to them, look at the map, see where their market lies, and then with one united pull work for their only interest, and at once subscribe a sufficient amount to build the Illinois River Railroad. Let the line be started at once, with a good, reliable local base sufficient to grade and bridge it, and it is safe to presume that the road can be built.

There is no heavy work between Peoria and Chandlerville, with the exception of the river bridge at Pekin. The entire line may be made ready for the iron, the first sixty miles, in six months. With the iron

on hand at that time, it may be put in operation to the base of the Sangamon bluffs in time for the coming harvest; the road finished to this point will secure the trade of Tazewell, Mason, Cass and part of Morgan counties, and at once earn a sufficient income to meet all expenses and the interest upon its cost. Between Chandlerville and Jacksonville are several points of heavy work, requiring more time to fit the road ready for the superstructure. It should be put under contract between Virginia and Chandlerville at as early a day as possible.

The greatly enhanced price of labor and supplies, as well as every article used in the construction of railroads, within the past few years, will not justify lower estimates. I consider this a feasible project, and think all estimates should be made without deception. The country between the Sangamon River and Jacksonville, at any point below Petersburg, cross it where you may, is rough, and presents an expensive route for a railroad. This line crosses at as favorable a place as can be found in the country, and over the shortest distance of undulating ground. It can not be fitted for the superstructure of a railroad for less than ten thousand dollars per mile; while, taking the entire distance of eighty-one miles from Peoria to Jacksonville, it will average eight thousand five hundred and forty dollars — less than the average cost of Illinois railroads. No part of the State presents a point where a road can be made ready for the superstructure any cheaper than this one between Pekin and the Sangamon River, a distance of fifty miles.

The buildings for your road may at first be of a temporary character, and consequently cheaply built. The equipments may be curtailed at first; yet, to do a good business, or half that may be offered, you will need much power and many freight cars. The right of way can not be estimated upon any reliable data; for this road passing, as it does, through a country nearly perishing for the want of a road, it would seem that in most cases the right of way will be cheerfully given; but, strange as it may seem, you will find persons anxious to be paid large sums for being enriched. The fencing for a large portion of the way may be deferred for a number of years; some places must be fenced at once. The fencing will cost from eight to nine hundred dollars per mile.

The following exhibit will show you the estimated cost of your road:

## ESTIMATE.

| | | | | |
|---|---|---|---|---|
| Graduation, Masonry, Bridging, etc., | | | | $695,930 |
| Estimated cost of one mile of Superstructure — | | | | |
| 100 Tons Iron, | at $75, | $7,500 | | |
| 2200 Cross-ties, | at 50c., | 1,100 | | |
| 600 Chairs, | at 35c., | 210 | | |
| 5000 Pounds Spikes, | at 6½c., | 325 | | |
| Laying Track, | | 300 | | |
| Distributing Material, | | 400 | | |
| | | | $9,835 | |
| 81.5 Miles Main Track, } | | | | |
| 3.5 " Side " } | | | | |
| 85 Miles Superstructure, at $9,835, | | | $835,975 | |
| 50 Frogs and Switches, at $75, | | | 3,750 | |
| | | | | 839,725 |
| Ballasting, | | | $42,500 | |
| Equipments, | | | 233,400 | |
| Buildings, | | | 69,000 | |
| Right of Way, | | | 50,000 | |
| Engineering, etc., | | | 25,000 | |
| | | | | 419,900 |
| Total Cost complete, | | | | $1,955,555 |
| Average Cost per mile complete, | | $24,000 | | |
| Average Graduation per mile, | | 8,540 | | |

The foregoing estimates may be reduced as follows: About three miles of the Peoria and Oquawka Railroad will answer to operate jointly for a time, if an arrangement can be effected with that company. Such an arrangement will save about forty thousand dollars. The Peoria and Hannibal Railroad Company should join you in building from Peoria to opposite Pekin, thereby building and owning one-half of the line that distance. This would also relieve you about one hundred thousand dollars in the aggregate, or about fifty thousand in the graduation. It would seem that mutual interest will cause such arrangements to be effected without difficulty.

Respectfully submitted.

W. G. WHEATON, Engineer.

PEORIA, November, 1856.

# ACT OF INCORPORATION.

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AN ACT TO CONSTRUCT A RAILROAD FROM JACKSONVILLE, IN MORGAN COUNTY, TO LASALLE, IN LASALLE COUNTY.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That George E. Walker, William Paul, Samuel L. Fleming, Theodore Perry, William Fisher, William S. Maus, Gideon H. Rupert, Philo H. Thompson, George N. Walker, N. J. Rockwell, James M. Ruggles, F. S. D. Marshall, Benjamin Busby, James Dunlap, Joseph J. Cassell, Alexander McDonald, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of the 'Illinois River Railroad Company', with perpetual succession, and by that name be and they are hereby made capable, in law and in equity, to sue and be sued, plead and be impleaded, defend and be defended, in any court of law and equity in this state, or in any other place; to make, have and use a common seal, and the same to renew and alter at pleasure; and shall be and are hereby vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth; and the said company are hereby authorized and empowered to locate and construct, and finally complete, a railroad from the town of Jacksonville, in Morgan county, *via* Virginia, in Cass county, to the town of Bath, Mason county, and thence by way of Pekin, in Tazewell county, Lacon, in Marshall county, to LaSalle, in LaSalle county; and for this purpose said company are authorized, upon the most eligible and proper route, to lay out their said railroad wide enough for a single or double track, through the entire length, and may enter upon and take a strip of land not exceeding one hundred feet in width, and for the purpose of cuttings, embankments, procuring stone and gravel, may take as much land as may be necessary for the proper construction and security of said road.

§ 2. The capital stock of said company shall consist of one million of dollars, and may be increased to two millions of dollars, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in five directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office for one year after their

election, and until others shall be duly elected and qualified to take their places as directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number to be the president of the company; that said board of directors shall have power to appoint all necessary clerks, secretaries, and other officers necessary in the transaction of the business of said corporation.

§ 3. The said corporation is hereby authorized, by their agents, surveyors and engineers, to cause such examinations and surveys to be made of the ground and country between the points herein named as shall be necessary to determine the most advantageous route for the proper line or course whereon to construct their said railroad; and it shall be lawful for said company to enter upon, and take possession of, and use all such lands and real estate as may be necessary for the construction and maintenance of their said railroad: *provided*, that all lands and real estate entered upon, and taken possession of, and used by said corporation for the purposes and accommodation of said railroad, or upon which the site of said railroad shall have been located or determined by the said corporation, shall be paid for by said company in damages, if any be sustained by the owner or owners thereof by the use of the same for the purposes of the said railroad; and all lands entered upon and taken for the use of the said corporation, which are not donated to said company, shall be obtained and paid for in the manner provided for taking lands for the construction of public roads, canals, and other public works, as described in the act concerning right of way, approved March 3d, 1845.

§ 4. If any person shall willfully, maliciously or wantonly, and contrary to law, obstruct the passage of any car on said railroad or any part thereof, or any thing belonging thereto, or shall damage, break or destroy any part of the said railroad, or implements, or buildings, he, she or they, or any person assisting, shall forfeit and pay to said company, for every such offense, treble the amount of damages that shall be proved before competent courts has been sustained, and be sued for in the name and behalf of said company; and such offender or offenders shall be deemed guilty of a misdemeanor, and shall be liable to indictment in the same manner as other indictments are found in any county or counties where such offense shall have been committed; and upon conviction, every such offender shall be liable to a fine not exceeding five thousand dollars, for the use of the county where such indictment may be found.

§ 5. The time of holding the annual meeting of said company for the election of directors shall be fixed and determined by the by-laws of said company; and at all meetings each stockholder shall be entitled to a vote, in person or by lawful proxy, one vote for each share of stock he, she or they may hold *bona fide* in said company.

[*Sections* 6 *and* 7 *repealed.*]

§ 8. The said company may take and transport upon said railroad any person or persons, merchandise or other property, by the force and

power of steam and animals, or any combination of them, and may fix, establish, take and receive such rates of toll for such passengers and property transported upon the same as the directors shall from time to time establish; and the directors are hereby authorized and empowered to make all necessary rules, by-laws, regulations and ordinances that they may deem necessary and expedient to accomplish the designs and purposes and to carry into effect all the provisions of this act, and for the transfer and assignment of its stock, which is hereby declared personal property and transferable in such manner as shall be provided for by the by-laws and ordinances of said corporation.

§ 9. The directors of said company, after the same is organized, shall have power to open books in the manner prescribed in the sixth section of this act, and to fill up the additional one million of dollars of stock, or any part thereof, at such times as they may deem it for the interest of said company; and all the installments required to be paid on the stock originally to be taken, and what may be taken to increase said capital stock, shall be paid at such times and in such sums as said directors may prescribe.

§ 10. In case of the death, resignation or removal of the president, vice-president or any director at any time between the annual elections, such vacancy may be filled for the remainder of the year, whenever they may happen, by the board of directors; and in case of the absence of the president and vice-president, the board of directors shall have power to appoint a president *pro tempore*, who shall have and exercise such powers and functions as the by-laws of the said corporation may provide. In case it should at any time happen that an election shall not be held on any day on which, in pursuance of this act, it ought to be held, the said corporation shall not, for that cause, be deemed dissolved, but such election shall be held at any other time directed by the by-laws of said corporation.

§ 11. That when the lands of any *femme covert*, person under age, *non compos mentis*, or out of this state, shall be taken in the construction of said railroad, as is provided by this act, the said corporation shall pay the amount that shall be awarded as due to the said last mentioned owners respectively, whenever the same shall be lawfully demanded. That to ascertain the amount to be paid to the persons named in this section for the lands taken for the use of said corporation, it shall be the duty of the judge of the judicial circuit within which said land may be situated, upon notice given to him by the said corporation, to appoint three commissioners, to be persons not interested in the matter, to determine the damages which the owner or owners of the land or real estate so entered upon by the said corporation has or have sustained by the occupation of the same; and it shall be the duty of the said commissioners, or a majority of them, to deliver to said corporation a written statement of the awards they shall make, with a description of the land or real estate appraised, to be recorded in the clerk's office in the county in which the land or real estate so appraised shall lie, and then the said corporation shall be deemed to be

seized and possessed in the fee simple of all such lands or real estate as shall have been appraised by the said commissioners.

§ 12. That whenever it shall be necessary for the construction of said railroad to intersect or cross any water-course, or any road or highway lying between the points aforesaid, it shall be lawful for the corporation to construct their railroad across or upon the same: *provided*, that the corporation shall restore the water-course, or road or highway thus intersected to its former state, or in a sufficient manner not to have injured its usefulness.

§ 13. The capital stock of said company may be increased from one million of dollars to two million five hundred thousand dollars, from time to time, by new subscriptions, if such increase shall be found necessary to fulfill the intention of this act, upon the directors for the time being giving the notice as herein required previous to the opening the subscription books for the original stock herein; and that all stock of said corporation shall be deemed personal property, and transferable in such manner as the said corporation shall by its by-laws prescribe.

§ 14. That it shall be lawful for the directors to require payment of the sums subscribed to the capital stock at such times, and in such proportions, and on such conditions, as they shall deem fit, under the penalty of the forfeiture of all previous payments thereon, and shall give notice of the payments thus required, and of the place and time when and where the same are to be paid, at least ninety days previous to the payment of the same, in some public newspaper of this state published in some one of the places where the notices for the opening the books for subscription to the capital stock may have been published.

§ 15. Said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for completing and finishing or operating their said railroad, and to issue and dispose of their bonds in denominations of not less than five hundred dollars, bearing a rate of interest not exceeding seven per centum per annum, for any amount so borrowed, and to mortgage the corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid. And the directors of said company may confer on any bondholder of any bond issued for money borrowed as aforesaid the right to convert the principal due or owing thereon into stocks of said company, at any time not exceeding ten years from the date of the bond, under such regulations as the directors of said company may see fit to adopt; and all sales of such bonds that may be made at less than their par value shall be good and valid and binding upon said corporation as if said bonds had been sold for the full amount thereof.

§ 16. The width of said railroad is to be determined by the said corporation within the limits prescribed by the first section of this act.

§ 17. This act shall be in force from and after its passage, and said company shall commence said work within three years, and complete the same within ten years from the passage of this act.

§ 18. Said company shall have power to unite its railroad with the railroad which may be constructed from Jacksonville, in Morgan county, to Alton, in Madison county, by the Jacksonville and Carrollton Railroad Company, or any other company, and for that purpose full power is hereby given to said company to make and execute such contracts with any company as will secure the objects of connecting with any railroad built or to be built at Jacksonville.

Approved February 11, 1853.

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## AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CONSTRUCT A RAILROAD FROM JACKSONVILLE, IN MORGAN COUNTY, TO LASALLE, IN LASALLE COUNTY."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That James Dunlap, James M. Ruggles and Gideon H. Rupert are hereby appointed commissioners, who, or a majority of whom, after a meeting duly called by twenty days' notice in newspapers published in Morgan, Mason and Tazewell counties, are hereby authorized to open subscription books for subscribing to the capital stock of said company, at such places as they shall deem proper, and shall keep said books open until one hundred thousand dollars of said capital stock shall be taken. Said commissioners shall require each individual subscriber to pay ten dollars on each share subscribed, at the time of subscribing, and shall require counties, towns or cities subscribing to issue bonds to the amount of ten dollars per share at the time of subscribing. Said commissioners shall immediately thereafter call a meeting of stockholders, by giving thirty days' notice in some newspaper printed in the counties of Morgan, Mason or Tazewell, and at such meeting it shall be lawful to elect the directors of said company, and when the directors of said company are chosen, the said commissioners shall deliver said subscription books, with all sums of money and all bonds received by them as commissioners, to said directors. No person shall be a director in said company unless he shall own at least five shares of the capital stock of said company.

§ 2. Said company shall have the power to unite or consolidate its railroad with any other railroad now constructed, or which may hereafter be constructed within this state on the route of said road, or at the terminus of said road, upon such terms as may be mutually agreed upon by the companies so connecting; and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection; and said company shall not be required to build that portion of said

road north of such connection as may be agreed upon, unless a majority of the directors of said company shall be in favor of extending and completing said road north of said connection.

§ 3. The right of way and the real estate purchased by said company, whether by mutual agreement or otherwise, or which shall become the property of the company by the operation of law, shall, upon the payment of the amount due to the owner or owners of said lands, become the property of the said company in fee simple.

§ 4. Sections six and seven of the act to which this is an amendment are hereby repealed, and all parts of said act conflicting with the foregoing amendatory act.

[*Sections* 5 *and* 6 *relate to a branch called the Mississippi and Illinois River Railroad.*]

§ 7. This act shall not be so construed as to impair, or in any wise affect the vote already taken for subscribing stock in the 'Illinois River Railroad' by the counties of Cass and Mason; and all proceedings heretofore had by said company are hereby declared to be legal and binding in law and equity.

§ 8. This act is hereby declared to be a public act, and shall be in force from and after its passage.

Approved March 1, 1854.

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## Present Officers of the Ill. River Railroad Company.

R. S. THOMAS,
N. B. THOMPSON,
CHARLES CHANDLER,
HARVEY O'NEAL,
ISAAC VAIL,
} DIRECTORS.

R. S. THOMAS, PRESIDENT, Virginia, Cass County.

M. H. L. SCHOOLEY, SECRETARY, Virginia, Cass County.

THOMAS PLASTER, TREASURER, Chandlerville, Cass County.